

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
Nashville

In re:	:	
LEN SALAS	:	CHAPTER 11
	:	CASE No. 18-02662
	:	JUDGE: HARRISON
Debtor	:	

NICOLAAS BREKELMANS AND GAIL :
GREGORY BREKELMANS,
CO-PERSONAL REPRESENTATIVES :
OF THE ESTATE OF NINA
BREKELMANS, et al :

Plaintiffs :

v. : Adversary Proceeding No. 3:20-ap-90027

MAX SALAS :

Defendant :

AFFIDAVIT OF PHILIP J. McNUTT IN SUPPORT OF PLAINTIFFS'
MOTION TO ALTER OR AMEND UNDER FED. R. BANKR. P. 9023

I, PHILIP J. McNUTT, DO HEREBY DECLARE AND AFFIRM, UNDER PENALTY
OF PERJURY, as follows:

1. That I am over the age of 21 years and am competent to testify to the matters and facts
set forth herein, all of which are in my personal knowledge.

2. That I am an attorney licensed to practice in the District of Columbia, including the
United States Bankruptcy Court for the District of Columbia, and the Superior Court of the
District of Columbia, and all state and federal courts in the State of Maryland.

3. That I have been admitted to practice *pro hac vice* before this Court in the above

captioned case, including this adversary proceeding.

4. That I was present in Court during the argument on objections to the Trustee's Notice of Motion to Sell Property in the Len Salas Bankruptcy Case, Case No. 3:18-bk-02662, on or about May 21, 2019.

5. That at that hearing Phillip Young, attorney for the Defendant, advised the Court that the reason why his client, Max Salas, though his son, Ron, sought to purchase the Estate's claims against him was to prevent any creditor or party in interest from pursuing any of those claims.

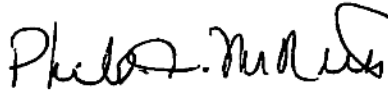
6. That at the subsequent auction sale held by the Trustee, I appeared on behalf of both Plaintiffs in this adversary proceeding and Phillip Young appeared on behalf of purported purchaser, Ron Salas. No other persons or parties were physically present at the auction.

7. That at the commencement of the auction Ron Salas raised the Plaintiffs existing offer and each party made successive bids until the Plaintiffs jointly bid \$156,000. Ron Salas conferred with his father after which he declined to bid further.

8. At various times during the auction I talked by phone with my clients and Ron Salas talked to his father, the Defendant, Max Salas.

I DECLARE, UNDER PENALTY OF PERJURY, that the foregoing matters and facts are true and correct.

June 6, 2023



Philip J. McNutt, Declarant